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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/612,607	07/01/2003	Yun-Sheng Chen	JCLA10931	4794		
7590 02/12/2004			EXAM	INER		
J.C. Patents, Inc. Suite 250			SOWARI	SOWARD, IDA M		
4 Venture			ART UNIT	PAPER NUMBER		
Irvine, CA 92	2618		2822			
			DATE MAILED: 02/12/200	4		

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Applica	tion No.	Applicant(s)				
Office Action Summary		10/612	607	CHEN, YUN-SHENG	i			
		Examin	r	Art Unit				
		Ida M S	oward	2822				
Period fo	The MAILING DATE of this communication Reply	tion appears on t	he cover sheet with	th correspond nce addre	∋ss			
THE - Exte after - If the - If NO - Failt - Any	MORTENED STATUTORY PERIOD FOR MAILING DATE OF THIS COMMUNICA ensions of time may be available under the provisions of 3 of SIX (6) MONTHS from the mailing date of this communical experiod for reply specified above is less than thirty (30) do to period for reply is specified above, the maximum statuto properly within the set or extended period for reply will, reply received by the Office later than three months after the patent term adjustment. See 37 CFR 1.704(b).	TION. 7 CFR 1.136(a). In no cation. ays, a reply within the s ry period will apply and by statute, cause the a	event, however, may a rep tatutory minimum of thirty will expire SIX (6) MONT pplication to become ABA	oly be timely filed (30) days will be considered timely. HS from the mailing date of this common the mailing date of the common than the mailing date of the common than the common that the common that the common that the common than the common that the common that the common that the common that the	nunication.			
1)🛛	Responsive to communication(s) filed of	on <u>01 July 2003</u> .						
2a)[This action is FINAL . 2b) ☐ This action is non-final.							
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposit	ion of Claims							
5) 6) 7)								
•	ion Papers		,					
9)[The specification is objected to by the E	xaminer.						
10)	The drawing(s) filed on is/are: a)	☐ accepted or	b)□ objected to b	y the Examiner.				
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
_	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
,	The oath or declaration is objected to by	the Examiner.	Note the attached	Office Action or form PTO	-152.			
-	under 35 U.S.C. §§ 119 and 120							
* (13)	Acknowledgment is made of a claim for All b) Some * c) None of: 1. Certified copies of the priority docay. Certified copies of the priority docay. Copies of the certified copies of the application from the International See the attached detailed Office action for Acknowledgment is made of a claim for copies a specific reference was included in the foreign langual Acknowledgment is made of a claim for copies and the foreign langual Acknowledgment is made of a claim for copies and the first sentence was included in the first sentence was included in the first sentence.	cuments have be cuments have be cuments have be the priority docur Bureau (PCT Ror a list of the ce domestic priority in the first senten age provisional domestic priority	een received. een received in Apments have been rule 17.2(a)). rtified copies not runder 35 U.S.C. § ce of the specifical	plication No eceived in this National Steelived. 119(e) (to a provisional ation or in an Application Dates received. § 120 and/or 121 since a	pplication) ata Sheet. specific			
Attachmer	nt(s)							
2) Notic	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO- mation Disclosure Statement(s) (PTO-1449) Pape			mmary (PTO-413) Paper No(s). ormal Patent Application (PTO-1				

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 9-10, drawn to a low temperature poly-silicon thin film transistor (LTPS TFT), classified in class 257, subclass 359.
- II. Claims 1-8, drawn to a fabricating method of a low temperature polysilicon film, classified in class 438, subclass 197.

The inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). Unpatentability of the Group I invention would not necessarily imply unpatentability of the Group II invention, since the device of the Group I invention could be made by a process materially different from those/that of the Group II invention. In the instant case, a rapid thermal anneal treatment instead of the laser anneal treatment could have been used to obtain the same result.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

A telephone call was made to Jiawei Huang on 2-5-04 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ida M Soward whose telephone number is 571-272-1845. The examiner can normally be reached on Monday - Thursday, 6:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on 571-272-1852. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Application/Control Number: 10/612,607

Art Unit: 2822

February 3, 2004

Page 4